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PATENT
Attorney Docket No. 020375-043600US

TOWNSEND and TOWNSEND and CREW LLP

By: / Stephanie Klepp /
Stephanie Klepp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Justin Monk

Application No.: 10/694,925

Filed: October 27, 2003

For: METHODS AND SYSTEMS FOR
PROCESSING TRANSACTIONS FOR
INTEGRATED CREDIT AND STORED-
VALUE PROGRAMS

Confirmation No. 5092

Examiner: Cuff, Michael A.

Technology Center/Art Unit: 3627

**RESPONSE TO NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief, dated October 14, 2008, Appellant hereby submits a new Section 5 to replace the corresponding section and found defective as previously included in the Appeal Brief filed on September 26, 2008.

Please replace previously-submitted Section 5 with the following:

5. SUMMARY OF CLAIMED SUBJECT MATTER

Claims 1 and 30 are the independent claims, and set forth a novel method and system for processing a transaction at a point of sale. Claim 1 calls for receiving a cost for a transaction at a point of sale device (Original Application, p. 5, ll. 19-20, 24-25; Figs. 1, 2, Ref. Nums. 152, 164). The claim further calls for receiving, at the point of sale device, information identifying an instrument associated with a stored-value account and a credit account (*Id.*, p. 5, ll. 25-26; Figs. 1, 2, Ref. Nums. 152, 164). The stored-value account and the credit account are linked substantially contemporaneously with issuance of the instrument to the customer (*Id.*, p. 9, ll. 27-33).

A request is generated to select a distribution of the cost for the transaction among the stored-value and credit accounts (*Id.*, p. 12, ll. 17-33; Fig. 4B, Ref. Num. 486). The request is presented at the point-of-sale device (*Id.*, p. 12, ll. 20-22). The point of sale device then receives a response to the request identifying a selected distribution identifying a first nonzero portion of the cost for the transaction to be applied to the stored-value account and a second nonzero portion of the cost for the transaction to be applied to the credit account (*Id.*, p. 12, l. 17 - p. 13, l. 18). The point-of-sale device transmits instructions to apply the cost for the transaction to the stored-value and credit accounts in accordance with the received response (*Id.*, p. 13, ll. 20-25; Fig. 4B, Ref. Nums. 490, 494).

Claim 30 calls a system for processing a transaction with a customer at a point of sale device (Original Application, p. 6, ll. 5-26; Figs. 1, 2, Ref. Nums. 104, 152). The claim further calls for a remote host configured to store an instrument identifier identifying an instrument associated with a stored-value account and a credit account wherein the stored-value account and the credit account were linked to the instrument identifier at the remote host (Original Application, p. 9, ll. 6-24, Fig. 1, Ref. Num. 132). Claim 30 further calls for a point-of-sale device, remote to the host (Original Application, p. 7, ll. 3-6, Figure 2), and configured to receive a cost for the transaction, receive the instrument identifier from the instrument, transmit the instrument identifier to the remote host (Original Application, p. 5, ll. 24-26); receive, from

the remote host, account information relating to the stored-value account and the credit account linked to the instrument identifier, the account information being generated by the remote host based at least in part on the instrument identifier (Original Application, p. 8, ll. 16-20), generate, based at least in part on the account information, a request to select a distribution of the cost for the transaction among the store-value and credit accounts (Original Application, p. 10, ll. 17-23), display the request; receive a response to the request that identifies a selected distribution identifying a first nonzero portion of the cost for the transaction to be applied to the stored-value account and a second nonzero portion of the cost for the transaction to be applied to the credit account and transmit instructions to apply the cost for the transaction to the stored-value and credit accounts in accordance with the received response (Original Application, p. 12, ll. 20-33).

CONCLUSION

Appellant respectfully requests replacement of the previously submitted Section 5 with the foregoing, which Appellant believes places the Appeal Brief in full compliance with 37 CFR 41.37.

Respectfully submitted,



Daniel J. Sherwinter
Reg. No. 61,751

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
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